

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DONALD LONGWELL, III,

Plaintiff,

v.

DR. GEORGE CHOLAK, *et al.*,

Defendants.

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Case No. 2:22-cv-2673

Chief Judge Algenon L. Marbley

Magistrate Judge Chelsey M. Vascura


ORDER

This matter is before the Court for consideration of two Reports and Recommendations issued by the United States Magistrate Judge. (ECF Nos. 10, 14) In a September 14, 2022 Report and Recommendation, the Magistrate Judge recommended that Plaintiff’s individual capacity claims against unnamed medical staff at Belmont County Jail (“BCJ”) be allowed to proceed, but that Plaintiff’s other claims be dismissed for failure to state a claim upon which relief can be granted. (ECF No. 10). In a November 16, 2022 Report and Recommendation, the Magistrate Judge recommended that Plaintiff’s individual capacity claims against unnamed medical staff at BCJ also be dismissed pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. (ECF No. 16).

Both Reports and Recommendations specifically advised the parties that failure to object to them within fourteen days of issuance would “result in a waiver of the right to have the District Judge review the Report[s] and Recommendation[s] *de novo*, and also operates as a waiver of the right to appeal the decision[s] of the District Court.” (ECF Nos. 14, 16) To date, however, no objections to either of the Reports and Recommendations have been filed.

The Court has reviewed both Reports and Recommendations. Noting the lack of objections and that the deadlines to file them have expired, the Court **ADOPTS** the Reports and Recommendations. (ECF Nos. 10, 14). The Clerk is **DIRECTED** to enter judgment in favor of Defendants and to terminate this case.

IT IS SO ORDERED.



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: December 19, 2022